



STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. BOX 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
EMD / CWB

03047PJS.03a

March 21, 2003

To: All Persons with Construction Activities Disturbing One (1) or More Acres of Total Land Area

From: Denis R. Lau, P.E., Chief
Clean Water Branch

Subject: National Pollutant Discharge Elimination System (NPDES) Permit Requirements for Your Construction Activity

You need to obtain coverage under an NPDES permit from the Department of Health (DOH), Clean Water Branch (CWB) for your construction activities, including clearing, grading, and excavation, that result in the disturbance of one (1) or more acres of total land area. The total land area includes a contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under a larger common plan of development or sale. **An NPDES permit authorizing discharges of storm water associated with your construction activity to State waters is required before the commencement of the construction activities.**

The CWB requires that a Notice of Intent (NOI) to be covered by the NPDES general permit for your construction activities be submitted at least 30 days before the commencement of your construction activities. The NOI forms may be picked up at our office or downloaded from our website at <http://www.hawaii.gov/health/environmental/water/cleanwater/forms/genl-index.html>.

You may be required to apply for an individual NPDES permit if there is any type of activity in which wastewater (i.e., concrete truck wash water, etc.) is discharged from your project into State waters and/or coverage under the NPDES general permit(s) is not permissible. An application for the NPDES permit is to be submitted at least 180 days before the commencement of your construction activities. The NPDES application forms may also be picked up at our office or downloaded from our website at <http://www.hawaii.gov/health/environmental/water/cleanwater/forms/indiv-index.html>.

Hawaii Administrative Rules, Section 11-55-38, also requires you to either submit a copy of the new NOI or NPDES permit application to the State Department of Land and Natural Resources, State Historic Preservation Division (SHPD) or demonstrate to the satisfaction of the DOH that the project, activity, or site covered by the NOI or application has been or is being reviewed by SHPD. Please submit a copy of your request for review by SHPD or SHPD's determination letter for your project.

If you have any questions, please contact the Engineering Section of the CWB at (808) 586-4309.